

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BERNARD KING, #15001730,

1/4/2016 12:50 pm

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

Plaintiff,

-against-

MEMORANDUM AND ORDER
15-CV-4143 (SJF)(AKT)

NASSAU COUNTY CORRECTIONAL CENTER,
ARMOR CORRECTIONAL HEALTH, INC., and
“NASSAU COUNTY (Lorna B. Goodman),”

Defendants.

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FEUERSTEIN, District Judge:

I. Introduction

On July 13, 2015, incarcerated *pro se* plaintiff Bernard King (“plaintiff”) filed a complaint in this Court pursuant to 42 U.S.C. § 1983 (“Section 1983”) against the Nassau County Correctional Center (“the Jail”), Armor Correctional Health, Inc. (“Armor”), and “Nassau County (Lorna B. Goodman)” (“the County”) (collectively, “defendants”), accompanied by an application to proceed *in forma pauperis*. By Order dated October 28, 2015, plaintiff’s application to proceed *in forma pauperis* was granted; plaintiff’s claims against the Jail were *sua sponte* dismissed with prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1) for failure to state a claim for relief; and plaintiff’s claims against the County, Armor and Goodman were *sua sponte* dismissed with prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1) for failure to state a claim for relief, unless plaintiff filed an amended complaint in accordance therewith on or before December 14, 2015. Since plaintiff has not filed an amended complaint in accordance with the October 28, 2015 Order, nor sought an extension of time to do so, the complaint is dismissed in its entirety with prejudice. The Clerk of the Court shall enter judgment in favor of defendants, close this case and, pursuant to Rule 77(d)(1) of the Federal Rules of Civil Procedure, serve notice

of entry of this Order upon plaintiff as provided in Rule 5(b) of the Federal Rules of Civil Procedure and record such service on the docket.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

/s/
Sandra J. Feuerstein
United States District Judge

Dated: January 4, 2016
Central Islip, New York